



CITY COUNCIL AGENDA

June 2, 2026

***THE CITY COUNCIL SHALL HOLD ITS REGULAR MEETINGS IN THE COUNCIL CHAMBER
IN THE CITY HALL, LOCATED AT 121 S. MERIDIAN, BEGINNING AT 7:00 P.M.***

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **INVOCATION: MINISTERIAL ALLIANCE**
4. **PLEDGE OF ALLEGIANCE**
5. **APPROVAL OF AGENDA p 4**
6. **ADMINISTRATION AGENDA p 5**
 - A. City Council Meeting Minutes – May 19, 2026 p 6
7. **PRESENTATIONS / PROCLAMATIONS p 12**
8. **PUBLIC FORUM (*Citizen input and requests*) p 12**
9. **APPOINTMENTS -None p 12**

10. **OLD BUSINESS p 13**
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 - B. Ordinance# 1446-26 Firework Sales Update p 19
 - C. Valley Center Fire Service Discussion p 23
11. **NEW BUSINESS p 24**
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 - B. Approval of PEC Contract for Water Rate Study - p 28
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13. **STAFF REPORTS p 63**
14. **GOVERNING BODY REPORTS p 64**

15. ADJOURN

All items listed on this agenda are potential action items unless otherwise noted. The agenda may be modified or changed at the meeting without prior notice.

At any time during the regular City Council meeting, the City Council may meet in executive session for consultation concerning several matters (real estate, litigation, non-elected personnel, and security).

This is an open meeting, open to the public, subject to the Kansas Open Meetings Act (KOMA). The City of Valley Center is committed to providing reasonable accommodations for persons with disabilities upon request of the individual. Individuals with disabilities requiring an accommodation to attend the meeting should contact the City Clerk in a timely manner, at cityclerk@valleycenterks.gov or by phone at (316)755-7310.

For additional information on any item on the agenda, please visit www.valleycenterks.gov or call (316) 755-7310.

CALL TO ORDER

ROLL CALL

INVOCATION – MINISTERIAL ALLIANCE

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

RECOMMENDED ACTION:

Staff recommends motion to approve the agenda as presented.

ADMINISTRATION AGENDA

A. MINUTES:

Attached are the Minutes from May 19, 2026, regular City Council Meeting as prepared by the City Clerk.

REGULAR COUNCIL MEETING
May 19, 2026
CITY HALL
121 S. MERIDIAN

Mayor Truman called the regular council meeting to order at 7:00 p.m. with the following members present: Mayor Truman, Amy Reid, Gina Gregory, Jeanne Daniels, Matt Stamm Chris Evans, Ben Anderson & Eric Scriven.

Members Absent: Ronald Colbert

Staff Present: Lloyd Newman, Public Safety Director
Kyle Fiedler, Community Development Director
Neal Owings, Parks and Public Buildings Director
Barry Arbuckle, City Attorney
Clint Miller, Finance Director
Amanda Park, City Clerk/HR Director
Cyndra Kastens, City Administrator

Press present: Ark Valley News & Wichita Eagle

APPROVAL OF AGENDA -

Gregory moved to approve the agenda as amended, seconded by Evans. Vote yea: unanimous. Motion carried.

ADMINISTRATION AGENDA –

Anderson moved to approve the minutes of May 5, 2026, regular City Council meeting as presented, seconded by Gregory. Vote yea: unanimous. Motion carried.

PRESENTATIONS/PROCLAMATIONS –

Larry Hoetmer presented a preliminary conceptual design for Section E from the Cemetery Subcommittee for council review

PUBLIC FORUM –None

APPOINTMENTS – None

OLD BUSINESS –

A. AWARD BID 2026 ROADWAY UPGRADE SERVICES:

Public Works Director Eggleston presented the bid from the May 5th Council Meeting from Pearson Construction for 5” asphalt replacement at \$446,023.00 and 7” at \$539,319.00 to replace Seneca St from 69th south to the railroad tracks. Eggleston included the various pricing options from City Engineer PEC for inspection and testing.

Council member Reid made motion to accept the bid from Pearson Construction for 5” remove and replace plus inspection and testing for a total cost of \$587,891.00. Motion seconded by Stamm. Vote: yea; unanimous. Motion carried.

B. DEPENDABLE PALLET SPECIAL USE PERMIT REVIEW:

Community Development Director Fiedler provided an update on the Special Use Permit at 201 S Cedar Ave citing issues of violation of the special use requirements. Terry Sowers, owner of Dependable Pallet Inc. requested to have until the end of August 2026 to relocate the business off the property.

Councilmember Evans made a motion to give grace by requiring ceasing all operations at this location by August 1, 2026. Motion seconded by Gregory. Vote: yea: Evans, Anderson, Gregory, Daniels, Scriven, and Stamm; opposed by Reid. Motion carried.

After further discussion regarding fire safety and the need to have water available on site, the motion was amended by Councilmember Evans to require the water to be kept on at all times by the customer during this period. Seconded by Gregory. Vote: yea; unanimous. Motion carried.

C. SENECA ST FORD TO 5TH CHANGE ORDER #5

Public Parks Director Owings presented Seneca St Ford to 5th change order #5. This change order will allow trees to be planted at the correct time. The rock will be delivered instead of installed.

Council member Stamm made a motion to approve Seneca St Ford to 5th change order #5 in the amount of \$9,334.58 and approve Mayor to sign. Motion seconded by Evans. Vote: yea; unanimous. Motion carried.

NEW BUSINESS-

A. REQUEST TO CHANGE THE FIREWORKS SALE DATES:

Jacob Maritta with Wholesale Fireworks asked the council to consider changing the date to start fireworks sales from June 27th to June 26, 2026, one day earlier.

Reid moved to change Ordinance# 1406-21 to the 26th of June for one year. Motion seconded by Anderson. Vote: yea; unanimous. Motion carried

Administrator Kastens clarified that an ordinance would be presented at the next meeting to make the change effective.

B. APPROVAL OF HORNET HUSTLE RACE:

Public Safety Director Newman presented road closures and police assistance requested during the annual Hornet Hustle. The race will be held on August 29, 2026.

Evans made motion to approve staff assistance needed for the Hornet Hustle Race. Motion seconded by Stamm. Vote: yea; unanimous. Motion carried

C. REQUEST THE USE OF 225 W MAIN FOR MOVIE ON MAIN:

Community Development Director Fiedler requested the use of 225 W Main for Main Street Valley Center's Movie on Main for June 6, 2026.

Anderson made a motion to approve the use of 225 W Main for Main Street Valley Center Movie on Main. Motion seconded by Reid. Vote: yea; unanimous. Motion carried.

D. RESCIND TRAILS END CHANGE ORDER #1 APPROVED MARCH 17, 2026 AND APPROVAL OF TRAILS END CHANGE ORDER #2:

Samantha Ghareeb with SEH presented the request to rescind Trails End Change Order #1 approved March 17, 2026, and approval of Trails End Change Order #2 to correct paperwork errors.

Anderson made a motion to rescind Trails End Change Order# 1 approved March 17, 2026, and approve Change Order #2 in the amount of \$19,276.60. Motion seconded by Stamm. Vote: yea; unanimous. Motion carried.

E. TRAILS END CHANGE ORDER #3 ELEVATION CORRECTION ISSUES:

Jake Vasa with SEH presented Trails End Change Order #3 which required additional costs for site adjustments, downtime due to redesign, and extra excavation/fill quantities due to incorrect elevation issues in the amount of \$144,043.30. The council had a great discussion regarding the errors and responsible party of such. Vasa explained that it could cause warranty issues if the city does not pay for the change order. Administrator Kastens indicated that final research on the issue is still pending but would be brought to council when complete.

Anderson made a motion to approve Trails End change order #3 Elevation Correction issues in the amount of \$144,043.30 and approve Mayor to sign. Motion seconded by Gregory. Vote: yea; unanimous. Motion carried.

H. VALEPOINTE PHASE #1 PROFESSIONAL SERVICE AGREEMENT:

Item H was presented before Item F and G. Jake Vasa with SEH presented Valepointe Phase #1 Professional Service Agreement in the amount of \$220,000.00.

Anderson made motion to approve Valepointe Phase #1 Professional Service Agreement in the amount of \$220,000.00 and approve the mayor to sign. Motion seconded by Evans. Vote: yea; unanimous. Motion carried.

At 9:08 p.m. Councilmember Stamm made motion to recess for 5 minutes. Motion Seconded by Evans. Vote: yea; Absent Mayor Truman and Councilmember Scriven. Motion carried.

City Council Meeting was called back to order by Mayor Truman at 9:13pm

F. 2027 DIRECTORS BUDGET PRESENTATIONS:

Public Works Director Eggleston, Community Development Director Fiedler, Parks and Public Buildings Director Owings, Public Safety Director Newman and Finance Director Miller presented first draft of budgets for the year 2027.

G. SEDGWICK COUNTY FIRE DISTRICT #1 AUTOMATIC AID AGREEMENT TERMINATION:

Public Safety Director Newman discussed a letter received from Sedgwick County Fire District #1 providing official 90-day notification to terminate Automatic Aid from Sedgwick County. Newman informed the council that staff are researching all possible options to address this loss of assistance and will be presenting the information to council. Staff will be working in subcommittee form to prepare the information along with Mayor Truman, and Councilmembers Stamm and Scriven.

I. EXECUTIVE SESSION TO DISCUSS LITIGATION PURSUANT TO "CONSULTATION WITH AN ATTORNEY FOR THE PUBLIC BODY OR AGENCY, WHICH WOULD BE DEEMED PRIVILEGED IN THE ATTORNEY-CLIENT RELATIONSHIP;" K.S.A. 75-4319 (b) (2):

Councilmember Anderson made motion for Council to recess into executive session for 5 minutes. Session to include Councilmembers, Mayor, City Attorney and City Administrator. The open meeting will resume in the City Council Chamber at 10:11 pm. Motion seconded by Stamm. Vote: yea; unanimous. Motion carried.

At 10:11 p.m. the Council meeting was called back to order. No binding action was taken.

J. EXECUTIVE SESSION TO DISCUSS STAFFING PURSUANT TO "PERSONNEL MATTERS OF NONELECTED PERSONNEL", K.S.A. 75-4319 (b) (1).:

Councilmember Anderson made motion for Council to recess into executive session for 10 minutes. Session to include Councilmembers, Mayor, City Attorney and City Administrator. The open meeting will resume in the City Council Chamber at 10:22 pm. Motion seconded by Evans. Vote: yea; unanimous. Motion carried.

At 10:22 p.m. the Council meeting was called back to order. No binding action was taken.

CONSENT AGENDA -

- A. APPROPRIATION ORDINANCE – May 8, 2026
- B. APRIL 28, 2026 PLANNING AND ZONING MINUTES

Evans made motion to approve the Consent Agenda as presented. Seconded by Stamm, Vote: Yea: Unanimous. Motion carried.

STAFF REPORTS-

COMMUNITY DEVELOPMENT DIRECTOR FIELDER

Farmer's Market this week.

PARKS & PUBLIC BUILDINGS DIRECTOR OWINGS

Disc golf at McLaughlin Park ribbon cutting for the new course, will be May 26, 2026, at 4:30. Forrest Service will also be in town. The pool will be open to the public on May 23, 2026.

PUBLIC WORKS DIRECTOR EGGLESTON

The brush pile will be separated into smaller piles; we will burn before the brush pile opens again. Trip to Bonner Springs to visit the water treatment facility. On May 7, 2026, the City of Valley Center was presented with award for Outstanding Engineering Achievement for the Meridian Project. Staff are researching trail cameras for the brush pile.

LIBRARIAN SHARP

Summer reading program starts June 1st and will be on Monday's & Wednesday's at 9:00am and 11:00am. On Tuesday's the start time is at 10:00am.

GOVERNING BODY REPORTS –

MAYOR TRUMAN

I visited a 3rd grade class at West Elementary and a Girl Scout Group from Kindergarten to 2nd grade.

Stamm moved to adjourn, second by Evans. Vote Yea: Unanimous. Motion Carried.

ADJOURN -

The meeting adjourned at 10:33 PM.

Amanda Park, City Clerk

ADMINISTRATION AGENDA
RECOMMENDED ACTION

A. MINUTES:

RECOMMENDED ACTION:

Staff recommends motion to approve the minutes of May 19, 2026 Regular Council Meeting as presented/ amended.

PRESENTATIONS / PROCLAMATIONS

PUBLIC FORUM

APPOINTMENTS

OLD BUSINESS

A. VACATION ORDER FOR A PORTION OF AVE A, NOW PARK AVE

Community Development Feidler Director will present a Vacation Order for a portion of Avenue A, now Park Avenue. This item previously was presented to the Council and approved; however the incorrect process was followed.

- Vacation Order
- Vacation Map

**BEFORE THE CITY COUNCIL OF THE
CITY OF VALLEY CENTER, SEDGWICK COUNTY, KANSAS**

**IN THE MATTER OF THE VACATION OF A)
DEDICATED ROAD RIGHT OF WAY)**

**GENERALLY LOCATED 150 FT SOUTH OF THE)
INTERSECTION OF WEST ALLEN STREET AND)
SOUTH PARK AVENUE ALL OF THE ROAD)
RIGHT OF WAY)**

VAC-2026-01

MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW, on this 2nd day of June, 2026, comes the petition filed by Paul Eden (owner of Edens Property Management, LLC), requesting the vacation of the following described portion of a dedicated road right of way, to wit:

Vacate The South 150.00 feet of Avenue A, adjacent to Lots 6, 8, 10 and 12 on the East and a portion of Reserve B on the West being part of Westfall's Subdivision described as Beginning at the southwest corner of Lot 6 Westfall's Subdivision; thence S00°45'35"E (bearings based on the Kansas Coordinate System 1983 South Zone, along the east line of Avenue A) along the west line of said lots 8, 10 and 12 a distance of 150.00 feet to the southwest corner of said Lot 12; thence S89°07'06"W a distance of 70.00 feet to the southeast corner of said Reserve B; thence N00°45'35"W along the east line of said Reserve B a distance of 150.00 feet; thence 89°07'06"E a distance of 70.00 feet to the west line of said Lot 6; thence S00°45'35"E along said west line a distance of 20.00 feet to the Point of Beginning encompassing 0.273 acres more or less.

The City Council, after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, makes the following findings:

1. That due and legal notice has been given by publication, as required by law, in The Ark Valley News on April 30, 2023, which was at least 20 days prior to the public hearing.
2. That the City of Valley Center Planning and Zoning Board held a public hearing on the 26th day of May, 2026, and recommended that the vacation petition herein be approved.
3. No private rights will be injured or endangered by the vacation of the described portion of road right-of-way and the public will suffer no loss or inconvenience thereby.
4. In justice to the petitioner, the request of the petition ought to be granted.

5. No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition.

6. The vacation of the described portion of the road right of way should be approved.

IT IS, THEREFORE, BY THE CITY COUNCIL, on this 2nd day of June, 2026, ordered that the described portion of the road right of way is hereby vacated. IT IS FURTHER ORDERED that the City Clerk shall send this original Vacation Order to the Register of Deeds of Sedgwick County for recording.

James E. Truman, Mayor

ATTEST:

Amanda Park, City Clerk

Approved as to Form:

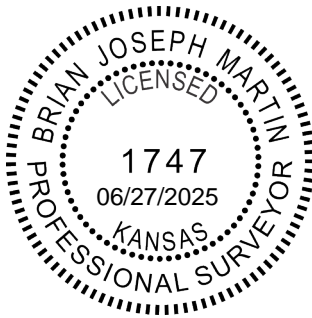
Barry Arbuckle, City Attorney

EXHIBIT A

SHEET 1 OF 2

Street Vacation of a portion of Avenue A, Westfall's Subdivision of a part of Reserve B, in the Original Town Site of Valley Center, Kansas as follows:

Street Vacation described and prepared on 6/26/2025 by Brian J. Martin PS #1747 and Professional Engineering Consultants P.A., C.L.S. #65, The South 150.00 feet of Avenue A, adjacent to Lots 6, 8, 10 and 12 on the East and a portion of Reserve B on the West being part of Westfall's Subdivision described as Beginning at the southwest corner of Lot 6 Westfall's Subdivision; thence S00°45'35"E (bearings based on the Kansas Coordinate System 1983 South Zone, along the east line of Avenue A) along the west line of said lots 8, 10 and 12 a distance of 150.00 feet to the southwest corner of said Lot 12; thence S89°07'06"W a distance of 70.00 feet to the southeast corner of said Reserve B; thence N00°45'35"W along the east line of said Reserve B a distance of 150.00 feet; thence N89°07'06"E a distance of 70.00 feet to the west line of said Lot 6; thence S00°45'35"E along said west line a distance of 20.00 feet to the Point of Beginning encompassing 0.273 acres more or less.



PREPARED BY: BRIAN J. MARTIN PS #1747
 PEC PROJECT NO. 250650-000

U:\FieldServices\2025\250650\000\250650-000\250650-000\Drawings\Exhibits\Vacation Easement



PEC
 PROFESSIONAL ENGINEERING CONSULTANTS, P.A.
 303 SOUTH TOPEKA WICHITA, KS 67202
 316-262-6457 www.pec1.com

VALLEY CENTER STREET VACATION AVENUE "A" STREET VACATION	
COUNTY	TRACT NO.
SEDGWICK	PART OF AVENUE "A"








DISCOVER
Valley Center

PROJ. NO. 250650-000
 DATE: 06/26/2025

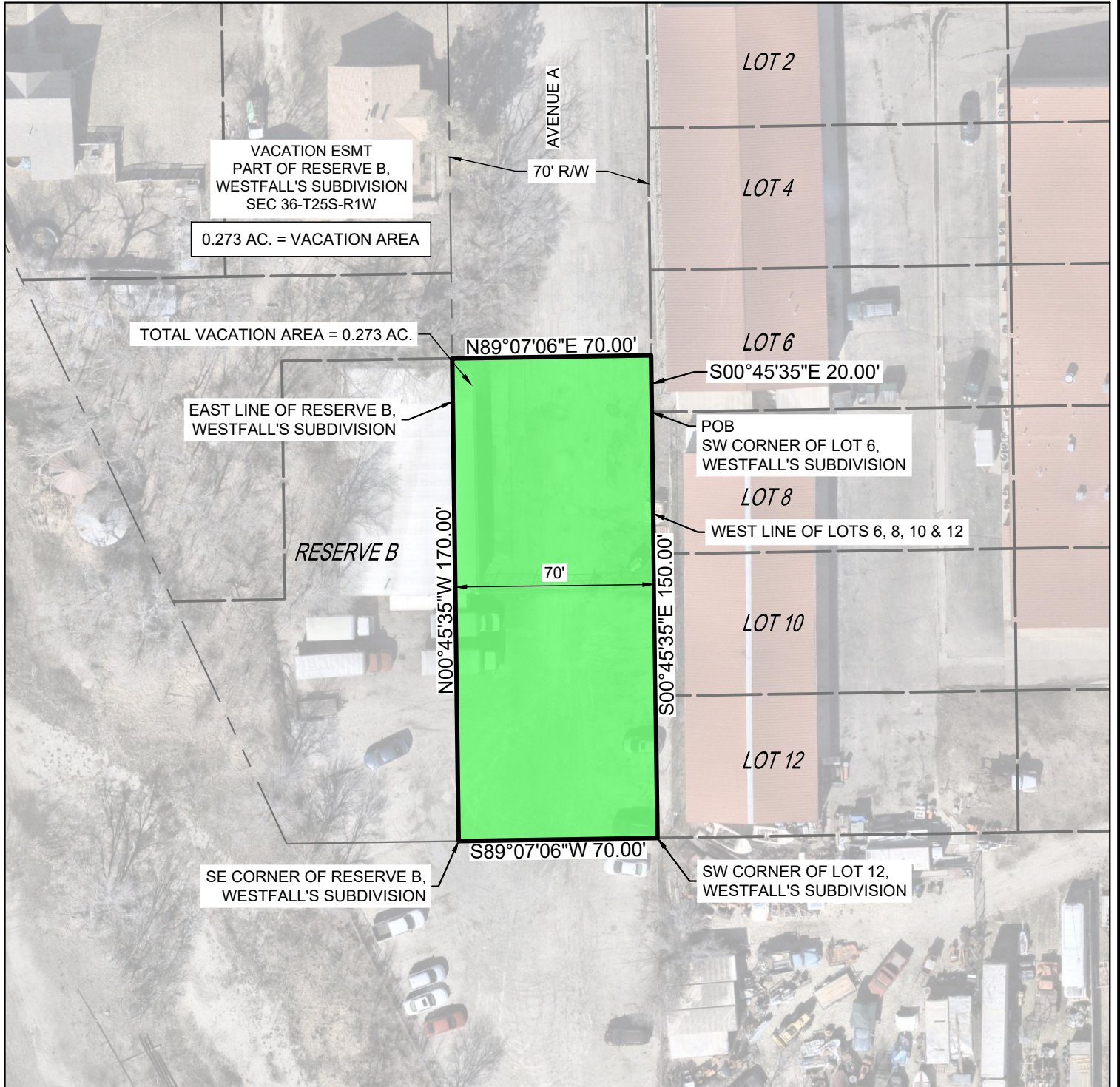
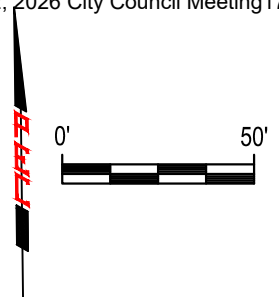
EXHIBIT A

SHEET 2 OF 2

LEGEND

-  LOT LINE
-  ROAD R/W LINE
-  VACATION ESMT
-  R/W RIGHT OF WAY
-  POB / POC POINT OF BEGINNING / COMMENCING

1. THIS SKETCH IS PREPARED FOR STREET VACATION PURPOSES.
2. DISTANCES ARE MEASURED OR CALCULATED UNLESS OTHERWISE NOTED.
3. BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM KANSAS NAD 83 (2011) SOUTH ZONE.
4. NO OTHER EASEMENTS SHOW PER AGREEMENT WITH CLIENT.



U:\FieldServices\2025\250650\000\2PD2_Field_Svc\060\Drawings\Exhibits\Vacation Easement



PEC
 PROFESSIONAL ENGINEERING CONSULTANTS, P.A.
 303 SOUTH TOPEKA WICHITA, KS 67202
 316-262-6457 www.pec1.com

VALLEY CENTER STREET VACATION AVENUE "A" STREET VACATION		
COUNTY	TRACT NO.	PROJ. NO. 250650-000
SEDGWICK	PART OF AVENUE "A"	DATE: 06/26/2025



DISCOVER
Valley Center

OLD BUSINESS
RECOMMENDED ACTION

A. VACATION ORDER PORTION OF AVE A, NOW PARK AVE:

RECOMMENDED ACTION

**City staff recommend approval of Vacation Order for a Portion of Ave A,
Now Park Ave.**

OLD BUSINESS

B. ORDINANCE# 1446-26 FIREWORK SALES UPDATE:

City Administrator Kastens will present an update of Ord 1446-26 Firework Sales update.

- Ord# 1446-26

ORDINANCE NO. 1446-26

AN ORDINANCE OF THE CITY OF VALLEY CENTER, KANSAS AMENDING CHAPTER 9.75 OF THE VALLEY CENTER, KANSAS MUNICIPAL CODE BY AMENDING SECTION B OF CHAPTER 9.75.030 THEREOF DESIGNATING THE TIMES AND DAYS FOR THE RETAIL SALE AND DISCHARGE OF FIREWORKS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF VALLEY CENTER, KANSAS;

Section 1. Section B of Chapter 9.75.030 of the Municipal Code of Valley Center, Kansas is hereby amended to read as follows:

- B.** Except as provided for in this chapter, it is unlawful for any person to possess, store, offer for sale, expose for sale, or sell at retail, or use or explode any fireworks as the same is described in this chapter. Anyone desiring to sell at retail any of those items specifically exempted from the definition of fireworks as set out in this chapter, shall comply with the requirements of the section before initiating such sales. Persons, corporations, partnerships, or others entitled and engaged in the business of the storage and sale at wholesale of fireworks shall be permitted to possess, to store, to offer the bona fide wholesale sales, to expose for bona fide wholesale sales any fireworks; provided, that the fire chief shall have power to adopt reasonable rules and regulations for the granting of permits for supervised public displays of fireworks by jurisdiction, fair associations, amusement parks, or other organizations or for the use of fireworks by artisans in pursuit of their trade. Every such use or display shall be handled by a competent operator approved by the fire chief, and shall be of such character and so located, discharged or fired, as in the opinion of the fire chief after proper investigation, so as not to be hazardous to property or endanger any person. The retail sale of fireworks, as defined in this chapter, shall only be permitted from June 27th through July 5th. The sale and discharge of such fireworks shall only be permitted on the days of June 27th through July 3rd between the hours of ten a.m. and ten p.m. and on July 4th and July 5th between the hours of ten a.m. and eleven-thirty p.m. and shall not occur on any publicly owned property or any other area accessible to the general public except as expressly permitted by the police chief through a block party permit. For the year 2026 only, retail sales and discharge of such fireworks shall also be permitted on June 26th between the hours of ten a.m. and ten p.m.

Section 2. Ordinance No. 1406-24 is hereby repealed.

Effective Date. This Ordinance shall take effect and be in full force from and after its passage by the Governing Body, approval by the Mayor and publication of the Ordinance or a summary thereof in the official City newspaper.

PASSED AND APPROVED by the Governing Body of the City of Valley Center, Kansas, this 2nd day of June 2026.

First Reading: June 2, 2026

Second Reading: Waived

{SEAL}

James E. Truman, Mayor

ATTEST:

Amanda Park, City Clerk

OLD BUSINESS

RECOMMENDED ACTION

B. ORDINANCE# 1446-26 FIREWORKS SALES UPDATE:

Should Council choose to proceed,

RECOMMENDED ACTION

Staff recommends motion to waive second reading of Ordinance# 1446-26 and approve Ordinance and authorize Mayor to sign.

OLD BUSINESS

C. VALLEY CENTER FIRE SERVICE DISCUSSION:

City Administrator Kastens & Public Works Director Newman will update council on Fire Services for Valley Center.

NEW BUSINESS

**A. ARBOR VALLEY PH# 2 CHANGE ORDER # 1 ADDITIONAL
EXCAVATION TO MOVE EXISTING BERM IN LOTS #13 & #14:**

SEH will present Arbor Valley Ph#2 change order #1 additional excavation and placement of compacted fill required to move the existing berm in lots #13 & #14 to this project. Additional clearing required to move the proposed berm south to the property line.

- **Arbor Valley Ph# 2 Change Order #1**



Building a Better World
for All of Us®

CHANGE ORDER

CITY OF VALLEY CENTER
OWNER

5/27/2026
DATE

ARBOR VALLEY PH 2
OWNER'S PROJECT NO.
PROJECT DESCRIPTION

1
CHANGE ORDER NO.
VALCT 186186
SEH FILE NO.

The following changes shall be made to the contract documents:

Description:

- COMPACTED FILL (ESTABLISHED QUANTITY) - 400 CY - \$800.00
- UNCLASSIFIED EXCAVATION (ESTABLISHED QUANTITY) - 400 CY - \$1,600.00
- CLEARING & GRUBBING - \$2,450.00
- 2 ADDITIONAL WORKING DAYS

Purpose of Change Order:

- ADDITIONAL EXCAVATION AND PLACEMENT OF COMPACTED FILL REQUIRED TO MOVE THE EXISTING BERM IN LOTS 13 AND 14 TO THIS PROJECT.
- ADDITIONAL CLEARING REQUIRED TO MOVE THE PROPOSED BERM SOUTH TO THE PROPERTY LINE.

Basis of Cost: Actual Estimated

Attachments (list supporting documents)

MIES CONSTRUCTION CHANGE ORDER REQUEST #1

Contract Status

Original Contract

Net Change Prior C.O.'s 0 to 1

Change this C.O.

Revised Contract

	Time	Cost
Original Contract	-	\$666,120.70
Net Change Prior C.O.'s <u>0</u> to <u>1</u>	-	\$0.00
Change this C.O.	2	\$4,850.00
Revised Contract	-	\$670,970.70

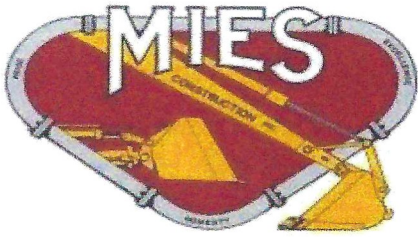
Recommended for Approval: **Short Elliott Hendrickson Inc.** by

KEVIN MCKINNEY

Approved for Owner:

BY CITY OF VALLEY CENTER

TITLE _____



1919 SW BLVD. WICHITA, KS 67213
 (316) 945-7227
 FAX (316) 945-7799

Date : 5/22/2026
 Submitted to: SEH
 Attn: Kevin McKinney
 Project : Arbor Valley Phase 2

We request the following alteration to the above project as follows :

Addition :

	<u>Description</u>	<u>Est. Qty.</u>	<u>U.O.M.</u>	<u>Unit Price</u>	<u>Ext. Amount</u>
3	Compacted Fill (Established Quantity)	400	CY	\$2.00	\$800.00
4	Unclassified Excavation (Established Quantity)	400	CY	\$4.00	\$1,600.00
5	Clearing & Grubbing	1	LS	\$2,450.00	\$2,450.00
Est. Total					\$4,850.00

~ This pricing is for additional clearing required in order to move the proposed berm to the south property line. Additional Excavation is required to move the existing berm in Lots 13 and 14 onto to this phase of the project.

~ Mies Construction requests an additional 2 working days to complete this scope of work

PRICE:	<u>Four Thousand Eight Hundred Fifty Dollars and No Cents</u>	<u>\$4,850.00</u>
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All work to be done as discussed in a substantial workmanlike manner for the above stated sum with payments to be made as per original contract.

Andrew Bliss

Andrew Bliss, Earthwork Estimator

ACCEPTANCE OF CHANGE ORDER REQUEST

The quoted price as per Change Request, dated May 22nd, 2026 and the related specifications and conditions are hereby accepted. You are authorized to do said work as specified. Payment to be made as per original contract.

Accepted _____ Date: _____

Signature: _____

NEW BUSINESS

RECOMMENDED ACTION

**A. ARBOR VALLEY PH# 2 CHANGE ORDER # 1 ADDITIONAL
EXCAVATION TO MOVE EXISTING BERM IN LOTS #13 & #14:**

Should Council choose to proceed

RECOMMENDED ACTION:

Staff recommend approval to the Arbor Valley change order #1 for additional excavation to move existing berm in lots #13 & #14 in the amount of \$4,850.00 and approve the mayor sign.

NEW BUSINESS

B. APPROVAL OF PEC CONTRACT FOR WATER RATE STUDY:

- **Water Rate Study Contract**



May 22, 2026

Cyndra Kastens
City Administrator
City of Valley Center
P.O. Box 188
Valley Center, KS 67147-0188

Reference: AGREEMENT for Valley Center Water Rate Study Update
Valley Center, KS
PEC Project No. 257013-011

Dear Ms. Kastens:

Professional Engineering Consultants, P.A. ("PEC") is pleased to provide professional services to City of Valley Center ("Client") in connection with the referenced Project, and in accordance with this letter agreement ("Agreement"). The services to be performed by PEC (the Services") are described in Exhibit A – Services, Schedule, and Payment (attached and incorporated by reference) and are subject to the following terms and conditions.

Performance. PEC will perform the Services with the level of care and skill ordinarily exercised by other consultants of the same profession under similar circumstances, at the same time, and in the same locality. PEC agrees to perform the Services in as timely a manner as is consistent with the professional standard of care and to comply with applicable laws, regulations, codes and standards that relate to the Services and that are in effect as of the date when the Services are provided.

Client Responsibilities. To enable PEC to perform the Services, Client shall, at its sole expense: (1) provide all information and documentation regarding Client requirements, the existing site, and planned improvements necessary for the orderly progress of the Services; (2) designate a person to act as Client representative with authority to transmit instructions, receive instructions and information, and interpret and define Client requirements and requests regarding the Services; (3) provide access to, and make all provisions for PEC to enter the project site as required to perform the Services, including those provisions required to perform subsurface investigations such as, but not limited to, clearing of trees and vegetation, removal of fences or other obstructions, and leveling the site; (4) site restoration and repair, as needed following field investigations; (5) establish and periodically update a project budget, which shall include a contingency to cover additional services as may be required by changes in the design or Services; and (6) timely respond to requests for information and timely review and approve all design deliverables. PEC shall be entitled to rely on all information and services provided by Client.

Client recognizes field investigations may damage existing property. PEC will take reasonable precautions to minimize property damage whenever field investigations are included in the Services.

Payment. Invoices will be submitted periodically and are due and payable net 30 days from invoice date. Unpaid balances past due shall be subject to an interest charge at the rate of 1.5 % per month from the date of the invoice, and any related attorneys' fees

Cyndra Kastens
City of Valley Center
Valley Center Water Rate Study Update
May 22, 2026

and collection costs. PEC reserves the right to suspend the Services and withhold deliverables if the Client fails to make payment when due. In such an event, PEC shall have no liability for any delay or damage resulting from such suspension.

Work Product. PEC is the author and owner of all reports, drawings, specifications, test data, techniques, photographs, letters, notes, and all other work product, including in electronic form, created by PEC in connection with the Project (the "Work Product"). PEC retains all common law, statutory, and other reserved rights in the Work Product, including copyrights. The Work Product may not be reproduced or used by the Client, or anyone claiming by, through or under the Client, for any purpose other than the purpose for which it was prepared, including, but not limited to, use on other projects or future modifications to the Project, without the prior written consent of PEC. Any unauthorized use of the Work Product shall be at the user's sole risk and Client shall indemnify PEC for any liability or legal exposure arising from such unauthorized use. To the extent PEC terminates this Agreement due to non-payment, Client shall not be entitled to use the Work Product for any purpose without the prior written consent of PEC.

Unless otherwise agreed by Client and PEC, Client may rely upon Work Product only in paper copy ("hard copy") or unalterable digital files, with either wet or digital signature meeting the requirements of the governing licensing authority having jurisdiction over the Project. In all instances, the original hard copy of the Work Product takes precedence over electronic files. All electronic files furnished by PEC are furnished only for convenience, not reliance by Client, and any reliance on such electronic files will be at the Client's sole risk.

Insurance. PEC and Client agree to each maintain statutory Worker's Compensation, Employer's Liability Insurance, General Liability Insurance, and Automobile Insurance coverage for the duration of this Agreement. Additionally, PEC will maintain Professional Liability Insurance for PEC's negligent acts, errors, or omissions in providing Services pursuant to this Agreement.

Supplemental Agreements. Changes in the Services may be accomplished after execution of this Agreement only by a written Supplemental Agreement signed by PEC and Client; changes in the Services will only be commenced after full execution of a Supplemental Agreement. For any change that increases PEC's cost of, or time required for performance of any part of the Services, PEC's compensation and time for performance will be equitably increased.

Differing, Concealed, or Unknown Conditions. If PEC encounters conditions at the Project site that are (1) subsurface or otherwise concealed physical conditions that differ materially from those indicated in the information provided to PEC or (2) unknown physical conditions of an unusual nature that differ materially from those ordinarily found to exist and generally recognized as inherent in construction activities provided for in this Agreement, PEC will, if practicable, promptly notify Client before conditions are disturbed. Subsurface condition identification is limited to only those points where samples are taken. The nature and extent of subsurface condition variations across the site may not become evident until construction. PEC assumes no liability for site variations differing from those sampled or changed conditions discovered during construction. If the differing, concealed, or unknown conditions cause an increase in PEC's cost of, or time required for performance of any part of the Services, PEC's compensation and time for performance will be equitably increased.

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Additionally, Client (1) waives all claims against PEC and (2) agrees to indemnify and hold harmless PEC as well as its respective officers, directors and employees, from and against liability for claims, losses, damages, and expenses, including reasonable attorneys' fees from all third-party claims resulting from differing, concealed, or unknown conditions.

Force Majeure. PEC will not be liable to Client for delays in performing the Services or for any costs or damages that may result from: labor strikes; riots; war; acts of terrorism; acts or omissions of governmental authorities, the Project owner, Client or third parties; extraordinary weather conditions or other natural catastrophes; acts of God; unanticipated site conditions; or other acts or circumstances beyond the control of PEC. In the event performance of the Services is delayed by circumstances beyond PEC's control, PEC's compensation and time for performance will be equitably increased.

Construction Means; Safety. PEC shall have no control over and shall not be responsible for construction means, methods, techniques, sequences or procedures, or for construction safety precautions and programs. PEC shall not be responsible for the acts or omissions of any contractor, subcontractor or any other person performing any work (other than the Services), or for the failure of any of them to carry out their work in accordance with all applicable laws, regulations, codes and standards, or the construction documents.

Cost Estimates. Upon request, PEC may furnish estimates of probable cost, but cannot and does not guarantee the accuracy of such estimates. All estimates, including estimates of construction costs, financial evaluations, feasibility studies, and economic analyses of alternate solutions, will be made on the basis of PEC's experience and qualifications and will represent PEC's judgment as a design professional familiar with the construction industry. However, PEC has no control over (1) the cost of labor, material or equipment furnished by others, (2) market conditions, (3) contractors' methods of determining prices or performing work, or (4) competitive bidding practices. Accordingly, PEC will have no liability for bids or actual costs that differ from PEC's estimates.

Termination. Both the Client and PEC have the right to terminate this Agreement for convenience upon fifteen calendar days' written notice to the other party. Upon termination of this Agreement, PEC shall be entitled to payment for all Services performed and expenses incurred up to the time of such termination, plus fees for any required transition services, and reimbursement of all costs incurred which are directly attributable to such termination.

Environmental Hazards. Client acknowledges that the Services do not include the detection, investigation, evaluation, or abatement of environmental conditions that PEC may encounter, such as mold, lead, asbestos, PCBs, hazardous substances (as defined by Federal, State or local laws or regulations), contaminants, or toxic materials that may be present at the Project site. Client agrees to defend, indemnify, and hold PEC harmless from any claims relating to the actual or alleged existence or discharge of such materials through no fault of PEC. PEC may suspend the Services, without liability for any damages, if it has reason to believe that its employees may be exposed to hazardous materials.

Betterment. PEC will not be responsible for any cost or expense that provides betterment, upgrade, or enhancement of the Project.

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Dispute Resolution. The Client and PEC will endeavor to resolve claims, disputes and other matters in issue arising out of this Agreement, the Project or the Services through a meet and confer session. The meeting will be attended by senior representatives of Client and PEC who have full authority to resolve the claim. The meeting will take place within thirty (30) days after a request by either party, unless the parties mutually agree otherwise. Prior to the meeting, the parties will exchange relevant information that will assist in resolving the claim.

If the parties resolve the claim, they will prepare appropriate documentation memorializing the resolution.

If the parties are unable to resolve the claim, PEC and Client agree to submit the claim to mediation prior to the initiation of any binding dispute resolution proceedings (except for PEC claims for nonpayment). The mediation will be held in Wichita, Kansas, and the parties will share the mediator's fees and expenses equally.

Jurisdiction; Venue; Governing Law. To the fullest extent permitted by law, PEC and Client stipulate that the Eighteenth Judicial District, District Court, Sedgwick County, Kansas is the court of exclusive jurisdiction and venue to determine any dispute arising out of or relating to this Agreement, the Project or the Services. PEC and Client further agree that this Agreement shall be construed, interpreted and governed in accordance with the laws of the State of Kansas without regard to its conflict of laws principles.

Indemnity. To the fullest extent permitted by law, Client and PEC each agree to indemnify and hold harmless the other, as well as their respective officers, directors and employees, from and against liability for claims, losses, damages, and expenses, including reasonable attorneys' fees, provided such claim, loss, damage, or expense is attributable to bodily injury, sickness, disease, death, or property damage, but only to the extent caused by the negligent acts or omissions of the indemnifying party, or anyone for whose acts they may be liable.

Agreed Remedy. To the fullest extent permitted by law, the total liability, in the aggregate, of PEC and PEC's officers, directors, employees, agents, and consultants to Client and anyone claiming by, through or under Client, for any and all injuries, claims, losses, expenses, or damages, including, without limitation, attorneys' fees, arising out of or in any way related to this Agreement, the Services, or the Project, from any cause and under any theory of liability, shall not exceed PEC's total fee under this Agreement. In no event will PEC be liable for any indirect, incidental, special or consequential damages, including, without limitation, loss of use or lost profits, incurred by Client or anyone claiming by, through or under Client.

Assignment. Client will not assign any rights, duties, or interests accruing from this Agreement without the prior written consent of PEC. This Agreement will be binding upon the Client, its successors and assigns.

No Third-Party Beneficiaries. This Agreement is solely for the benefit of PEC and Client. Nothing herein is intended in any way to benefit any third party or otherwise create any duty or obligation on behalf of PEC or Client in favor of such third parties. Further, PEC assumes no obligations or duties other than the obligations to Client specifically set forth in this Agreement. PEC shall not be responsible for Client's obligations under any separate agreement with any third-party.

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No "Flow-down" Provisions. PEC agrees to no "flow-down" provisions from any contract between Client and any third-party unless the same are specifically identified in PEC's proposal/agreement.

Entire Agreement. This Agreement represents the entire and integrated agreement between PEC and Client and supersedes all prior negotiations, representations, or agreements, either written or oral. This Agreement may only be amended in writing, signed by PEC and Client.

Severability. If any provisions of this Agreement are determined to be unenforceable, in whole or in part, the remainder shall not be affected thereby and each remaining provision or portion thereof shall continue to be valid and effective and shall be enforceable to the fullest extent permitted by law.

Thank you for engaging PEC; we look forward to working with you. If this Agreement is acceptable, please sign below and return an executed copy to me. Receipt of the executed copy will serve as PEC's notice to proceed with the Services. The terms of this proposed Agreement are valid for 30 days after the date of PEC's execution. PEC reserves the right to amend the proposed Agreement if not accepted within that time.

Sincerely,

SCU:ldj

PROFESSIONAL ENGINEERING CONSULTANTS, P.A.

By: _____, Signatory

Printed Name: Michael D. Kelsey, PE

Title: VP | Municipal & W/WW Engineering

Date: _____

ACCEPTED:

CITY OF VALLEY CENTER

By: _____

Printed Name: _____

Title: _____

Date: _____

VALLEY CENTER WATER RATE STUDY UPDATE EXHIBIT A

A. Project Description

1. The Project shall consist of preparation of a water rate study update for the City of Valley Center.

B. Anticipated Project Schedule

1. PEC shall commence its services on the Project within 7 days after receiving CLIENT's notice to proceed.
2. The design duration to complete construction documents will be approximately 90 days after receiving Notice to Proceed.
3. CLIENT acknowledges that directed changes, unforeseen conditions, and other delays may affect the completion of PEC's services. PEC will not have control over or responsibility for any contractor or vendor's performance schedule.

C. Project Deliverables

1. This Project Deliverables shall consist of the following sealed by an Engineer licensed in the State of Kansas where applicable:
 - a) Preliminary Rate Study
 - b) Final Rate Study
 - c) Rate Setting Model (Excel)

D. Scope of Services

1. Task 1 – Water Rate Study:
 - a) Conduct kick-off meeting to review scope, schedule, and discuss any additional data needs beyond what PEC has readily available.
 - b) Prepare and submit a data request document to the CLIENT.
 - c) Review historical and projected growth of CLIENT's existing customer base.
 - d) Review historical water usage for customer base and develop projected water usage for current customer base and potential new service area for a 10-year planning period (2026-2036).
 - e) Review existing water supply contracts with the City of Wichita, Sedgwick County RWD 2, and any other applicable contracts.
 - f) Review ordinances, audits, and other available information relating to rate setting.
 - g) Review past, existing, and proposed budgets and evaluated estimated future costs and timelines for system improvements. Review fund transfers and debt service requirements.
 - h) Prepare cost estimates and discuss project timing and prioritization with City staff to develop a 5-year Capital Improvement Plan.
 - i) Determine rate increases required to generate enough revenue to cover projected expenses and projected cost increases for water purchased from the City of Wichita, for a 5-year planning period (2026-2031).

- j) Review fixed and variable revenues compared to expenses to determine if the base or variable water rates should be adjusted by different amounts.
- k) Compare the rates to neighboring communities and estimate a typical bill for an average user and top water user.
- l) Schedule and facilitate a draft rate study review meeting with the CLIENT's staff to confirm assumptions made in the study are appropriate and discuss preliminary findings and recommendations.
- m) Submit a final draft study to the CLIENT for review incorporating comments and any modifications required based on discussions in the review meeting.
- n) Provide copies of the Water Rate Study and present findings to the CLIENT's board.

E. Additional Responsibilities of CLIENT

The CLIENT agrees to provide the following pursuant to PEC accomplishing the Scope of Services outlined herein.

- 1. Attend all PROJECT review meetings and provide feedback on assumptions.
- 2. Provide all data and information required for the study required to complete the PROJECT in a timely manner.
- 3. Provide prompt review of the PROJECT documents.
- 4. Coordinate with the City Council, appropriate staff members, and ENGINEER to schedule the review meetings and presentations.

F. Additional Services

The following services can be provided by PEC at an additional cost by Supplemental Agreement:

- 1. Review of alternative rate structures or rates for other utilities.

G. Exclusions

The following shall be specifically excluded from the Scope of Services to be provided by PEC.

- 1. Meetings in addition to those noted above.
- 2. Design of any system improvements.
- 3. Contract negotiations between the City and any related entity.
- 4. This work is not to be construed to be a financial audit.
- 5. Any rate and rate structures will be based solely on the information provided.
- 6. Assistance obtaining funding for proposed projects.
- 7. Assistance in selecting or evaluating funding options for proposed projects.

H. PEC's Fees & Reimbursable Expenses

- 1. PEC will invoice CLIENT one time per month for services rendered incurred in the previous month. CLIENT agrees to pay each invoice within 30 days after receipt.
- 2. PEC's Fee for its Scope of Services will be on a lump sum basis in the amount of **\$15,000.00**.
- 3. Taxes are not included in PEC's Fees. CLIENT shall reimburse PEC for any sales, use, and value added taxes which apply to these services.

NEW BUSINESS

RECOMMENDED ACTION

B. APPROVAL OF PEC CONTRACT FOR WATER RATE STUDY:

Should Council choose to proceed

RECOMMENDED ACTION:

Staff recommend approval of the PEC Contract for Water Rate Study in the amount of \$15,000.00 and approve the mayor sign.

NEW BUSINESS

C. ORDINANCE #1445-26 ZONING REGULATION CHANGE FOR MODULAR HOMES:

Community Development Director Fiedler will present a zoning regulation change to add a definition for Residential-Design Modular Home and add Residential-Design Modular Home as a permitted use in all residential zoning districts.

- Ordinance #1445-26
- Draft Changes

ORDINANCE NO. 1445-26

AN ORDINANCE OF THE CITY OF VALLEY CENTER, KANSAS, INCLUDING NEW PROVISIONS OF THE VALLEY CENTER CITY CODE BOOK CHAPTER 17.02.09 AND 17.04 AND ALL CONFLICTING ORDINANCES.

NOW THEREFORE, BE IT ORDAINED, by the Governing Body of Valley Center, Kansas:

Section 1. 17.02.09. Definitions. The following definition shall be amended to reflect an update in responsible agency: Residential-Design Manufactured Home: removing “standards set by the International Conference of Building Officials (ICBO) and published in the most current edition of “Guidelines for Manufactured Housing Installations.”” And replacing with “HUD Model Installation Standards for Manufactured Housing.”

Section 2. 17.02.09. Definitions. Adding the following definition for Residential-Design Modular Home: A dwelling structure located on a permanent foundation and connected to public utilities, consisting of pre-selected, prefabricated units or modules, and transported to and/or assembled on the site of its foundation; in contrast to a dwelling structure which is custom built on the site of its permanent location; and also in contrast to a manufactured home, either single-width, double-width or multi-width, located on its permanent foundation. In general, such residential-design modular homes shall have exterior building materials and somewhat similar appearance to custom built single-family dwellings and meet the standards of the City building codes. Such a structure shall have a pitched roof, siding and roofing materials which are customarily used on site-built homes, a permanent foundation, and which complies with the following architectural or aesthetic standards so as to ensure their compatibility with site-built housing:

1. The roof must have a minimum vertical rise of 5 inches for every 12 inches of horizontal run, and must be covered with material that is customarily used on site-built dwellings, including but not limited to approved wood, asphalt composition shingles or fiberglass, but excluding corrugated aluminum, corrugated fiberglass or metal roof. The roof shall have a minimum eave projection and roof overhang on at least two sides of 10 inches which may include a gutter.
2. Exterior siding shall be of a non-reflective material customarily used on site-built dwellings such as wood, composition, simulated wood, clapboards, conventional vinyl or metal siding, brick, stucco, or similar materials, but excluding smooth, ribbed or corrugated metal or plastic panels.
3. A continuous, permanent concrete or masonry foundation, unpierced except for required ventilation and access which may include walk-out basements and garages, shall be installed under the perimeter of the home, also in accordance with City building codes
4. At the main entrance door there shall be a landing that is a minimum of 25 square feet which is constructed to meet the requirements of the City building codes.
5. Any attached addition to such a home shall comply with all construction requirements of the City building codes, unless designed and constructed by a modular home factory.
6. If 50% or more of the frontage of existing site-built housing on both sides of the street on which the residential-design modular home is to be installed have a garage and/or a similar percentage have a covered porch or recessed entry, such a home shall also provide a garage and/or porch or entry based on the percentages determined by the Zoning Administrator. On a corner lot, the street shall mean that street on which the frontage of the façade has been designated for the household address number. External roofing and siding material of such garage, porch or entry shall be similar in appearance to the materials on the roofing and siding of the residential-design modular

home.

7. Require certification that the structure is built to the currently adopted International Residential Code based on in-factory inspections.

8. For purposes of these regulations, the term “modular home”, when used by itself, shall not include a “residential-design modular home” as herein defined. Nothing in these regulations shall be construed to preempt or supersede valid restrictive covenants running with the land as to the placement or location of a residential-design modular home. (See MODULAR HOME)

Section 2. 17.04. Zoning District Regulations. The following zoning districts shall be amended A-1, RR-1, R-1A and R-1B to allow Residential-Design Modular Home as an permitted use.

Section 3. This Ordinance shall take effect and be in force from and after its passage, approval, and publication once in the official city newspaper.

PASSED AND APPROVED by the Governing Body of the City of Valley Center, Kansas, this 16th day of June 2026.

First Reading: June 2, 2026

Second Reading: June 16, 2026

James E. Truman, Mayor

ATTEST:

Amanda Park, City Clerk

{SEAL}

accepted or deposited by the public for transfer elsewhere. As distinguished from the operation of salvage yards or hazardous waste facilities, such recyclable materials consist only of aluminum and steel cans, glass, paper, plastic, reusable containers and materials capable of being composted. A center must be maintained in a litter-free condition on a daily basis. The name and phone number of a responsible party must be clearly posted in case a problem occurs. Such a center may be further classified as follows: (See Sections 17.06.01.B.12 and 17.06.02G for recycling centers.)

1. **Small recycling collection center:** A center for collection containers or reverse vending machines not exceeding 100 square feet in ground area which may be approved by the Zoning Administrator as an accessory use in all business and industrial districts and on church and public property. Such a center may be located in the required front yard in business and industrial districts and on public property if proper vehicular safety and parking standards can be maintained.
2. **Large recycling collection center:** A center for collection containers larger than 100 square feet in ground area, on-site trailers, bulk-feed reverse vending machines, vehicles on-site during operating hours only and the like. As an accessory use, such a center may be approved by the Board of Zoning Appeals as a conditional use in all business and industrial districts and on church and public property.
3. **Recycling processing center:** A principal use in industrial districts only for handling the collection and processing of large volumes of bulky materials, some of which may originate at other recycling centers. Mechanical equipment may be used such as forklifts, balers, smashers and other related equipment. Outdoor storage may be permitted including composting operations.

REHABILITATION HOME: A residential building which is used by an organized group to supervise the rehabilitation of the individual occupants. Sometimes such homes are known as "halfway houses" for the rehabilitation of wayward juveniles, drug or alcoholic addict or former offenders. For new buildings or modifications of existing buildings, the overall appearance is to remain as a residential type building when located in a residential district.

RESIDENTIAL BUILDING: A building all or part of which contains one or more dwelling units, including single-family dwellings, two-family dwellings, multiple-family dwellings, earth-sheltered housing, lodging houses, dormitories, sororities and fraternities, as well as modular homes.

RELIGIOUS INSTITUTION: Any building used for non-profit purposes by an established religious organization holding either tax exempt status under Section 501c(3) of the Internal Revenue Code or under the state property tax law, where such building is primarily intended to be used as a place of worship. The term includes, but is not necessary limited to, church, temple, synagogue, and mosque.

RESIDENTIAL-DESIGN MANUFACTURED HOME: A structure manufactured to the standards embodied in the National Manufactured Home Construction and Safety Standards generally known as the HUD Code established in 1976 pursuant to 42 U.S.C. Sec. 5403. Such units shall provide all of the accommodations necessary to be a dwelling unit and shall be connected to all utilities in conformance with applicable City regulations. Such a structure shall be on a

permanent-type, enclosed perimeter foundation which has minimum dimensions of 22 body feet in width, a pitched roof, siding and roofing materials which are customarily used on site-built homes, and which complies with the following architectural or aesthetic standards so as to ensure their compatibility with site-built housing:

1. The roof must be predominantly double-pitched and have a minimum vertical rise of 2.2 inches for every 12 inches of horizontal run, and must be covered with material that is customarily used on site-built dwellings, including but not limited to approved wood, asphalt composition shingles or fiberglass, but excluding corrugated aluminum, corrugated fiberglass or metal roof. The roof shall have a minimum eave projection and roof overhang on at least two sides of 10 inches which may include a gutter.
2. Exterior siding shall be of a non-reflective material customarily used on site-built dwellings such as wood, composition, simulated wood, clapboards, conventional vinyl or metal siding, brick, stucco, or similar materials, but excluding smooth, ribbed or corrugated metal or plastic panels. Siding material shall extend below the top of the exterior of the foundation or curtain wall or the joint between siding and enclosure wall shall be flashed in accordance with City building codes.
3. The home shall be installed in accordance with the recommended installation procedures of the manufacturer and the ~~standards set by the International Conference of Building Officials (ICBO) and published in the most current edition of "Guidelines for Manufactured Housing Installations."~~ HUD Model Installation Standards for Manufactured Housing. A continuous, permanent concrete or masonry foundation or masonry curtain wall, unpierced except for required ventilation and access which may include walk-out basements and garages, shall be installed under the perimeter of the home, also in accordance with the above guidelines.
4. At the main entrance door there shall be a landing that is a minimum of 25 square feet which is constructed to meet the requirements of the City building codes.
5. The moving hitch, axles, wheels and transporting lights must be removed at the time of installation of the home on the lot.
6. The finished floor of the home shall be a maximum of 24 inches above the exterior finish grade of the lot on which it is located, as measured at the main entrance into the dwelling.
7. Any attached addition to such a home shall comply with all construction requirements of the City building codes, unless designed and constructed by a manufactured home factory.
8. If 50% or more of the frontage of existing site-built housing on both sides of the street on which the residential-design manufactured home is to be installed have a garage and/or a similar percentage have a covered porch or recessed entry, such a home shall also provide a garage and/or porch or entry based on the percentages determined by the Zoning Administrator. On a corner lot, the street shall mean that street on which the frontage of the façade has been designated for the household address number. External roofing and siding material of such garage, porch or entry shall be similar in appearance to the materials on the roofing and siding of the residential-design manufactured home.
9. For purposes of these regulations, the term "manufactured home", when used by itself, shall not include a "residential-design manufactured home" as herein defined. Nothing in these regulations shall be construed to preempt or supersede valid restrictive covenants running with the land as to the placement or location of a residential-design manufactured home. (See MANUFACTURED HOME or MOBILE HOME.)

RESIDENTIAL-DESIGN MODULAR HOME: A dwelling structure located on a permanent

foundation and connected to public utilities, consisting of pre-selected, prefabricated units or modules, and transported to and/or assembled on the site of its foundation; in contrast to a dwelling structure which is custom built on the site of its permanent location; and also in contrast to a manufactured home, either single-width, double-width or multi-width, located on its permanent foundation. In general, such residential-design modular homes shall have exterior building materials and somewhat similar appearance to custom built single-family dwellings and meet the standards of the City building codes. Such a structure shall have a pitched roof, siding and roofing materials which are customarily used on site-built homes, a permanent foundation, and which complies with the following architectural or aesthetic standards so as to ensure their compatibility with site-built housing:

1. The roof must have a minimum vertical rise of 5 inches for every 12 inches of horizontal run, and must be covered with material that is customarily used on site-built dwellings, including but not limited to approved wood, asphalt composition shingles or fiberglass, but excluding corrugated aluminum, corrugated fiberglass or metal roof. The roof shall have a minimum eave projection and roof overhang on at least two sides of 10 inches which may include a gutter.
2. Exterior siding shall be of a non-reflective material customarily used on site-built dwellings such as wood, composition, simulated wood, clapboards, conventional vinyl or metal siding, brick, stucco, or similar materials, but excluding smooth, ribbed or corrugated metal or plastic panels.
3. A continuous, permanent concrete or masonry foundation, unpierced except for required ventilation and access which may include walk-out basements and garages, shall be installed under the perimeter of the home, also in accordance with City building codes
4. At the main entrance door there shall be a landing that is a minimum of 25 square feet which is constructed to meet the requirements of the City building codes.
5. Any attached addition to such a home shall comply with all construction requirements of the City building codes, unless designed and constructed by a modular home factory.
6. If 50% or more of the frontage of existing site-built housing on both sides of the street on which the residential-design modular home is to be installed have a garage and/or a similar percentage have a covered porch or recessed entry, such a home shall also provide a garage and/or porch or entry based on the percentages determined by the Zoning Administrator. On a corner lot, the street shall mean that street on which the frontage of the façade has been designated for the household address number. External roofing and siding material of such garage, porch or entry shall be similar in appearance to the materials on the roofing and siding of the residential-design modular home.
7. Require certification that the structure is built to the currently adopted International Residential Code, based on in-factory inspections.
8. For purposes of these regulations, the term "modular home", when used by itself, shall not include a "residential-design modular home" as herein defined. Nothing in these regulations shall be construed to preempt or supersede valid restrictive covenants running with the land as to the placement or location of a residential-design modular home. (See MODULAR HOME)

9.

RESTAURANT: A public eating house, including but not limited to the types of business establishments customarily referred to as cafeterias, coffee shops, dairy bars, fast food restaurants, reception halls and soda fountains, but not a drive-in establishment unless

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Chapter 17.04: ZONING DISTRICTS

17.04.01 Permitted Uses in All Districts.

- A. Off-street parking and loading as required by Chapter 17.05.
- B. Accessory and temporary uses and home occupations as permitted by Chapter 17.06.
- C. Signs as permitted by Chapter 17.07.

17.04.02 A-1 Agricultural District. This district is established to accommodate existing uses and to serve as an interim zone following a period of annexation of a predominantly agricultural or undeveloped area which may also contain scattered, low density residential land uses. Selected uses are included which may be compatible in such a district at certain locations.

A. Permitted Uses.

- 1. Single-family detached dwellings, modulars, residential-design modular home and residential-design manufactured homes.
- 2. Religious Institution
- 3. Wind Energy Conversion Systems
- 4. Golf courses, including accessory clubhouses, but not driving ranges and miniature golf courses operated for commercial purposes.

B. Special Uses.

- 1. Public buildings erected or land used by any agency of a city, township, county or state government.
- 2. Airports, heliports, ultralite landing areas and aircraft landing fields, publicly and privately owned. (See Section 17.02.09 for definition of AIRPORT.)
- 3. Animal clinics or hospitals with outside runs when permitted.
- 4. Campgrounds subjected to the following regulations and accompanied by a plot plan:
 - a. Campgrounds shall be utilized only for the accommodations of camping trailers, tents and other similar camping vehicles, and under no circumstances shall a campground be utilized for the occupancy of manufactured or mobile homes.
 - b. The tract to be used for a campground shall not be less than two acres in area and be located on well-drained site, properly graded to insure rapid drainage and freedom from stagnant pools of water.
 - c. Campgrounds shall have a maximum density of 20 camping spaces per gross acre, a minimum area of 1,250 square feet for each space, and maintain a setback of no less than 25 feet from any public street or highway right-of-way or property line.
 - d. If deemed necessary to screen adjoining property and provide privacy to the campground, a solid or semi-solid fence or wall at least six feet high, but not more than eight feet high, may be required. In lieu of a fence or wall, a landscape buffer may be provided not less than 20 feet in width and planted with coniferous and other plant materials. The fence, wall or landscape buffer shall be properly maintained by operator.
 - e. The campgrounds shall have an accessible, adequate, safe and potable water supply and, if a public water supply is reasonable available to the campgrounds, it shall be used. Also, it must have an adequate method for on-site sewage disposal as provide for in these regulations; however, if a public sewer system is reasonable available, it shall be used.
 - f. The campground and any service buildings and refuse disposal systems must be

17.04.03 RR-1 Suburban Residential District. This district is established for the purpose of low-density single-family dwelling units with either public sewerage or water supply where available or private sewerage or water system and to allow certain community facilities. It is intended that no uses be permitted in this district that will tend to devalue property for residential purposes or interfere with the health, safety, order or general welfare of persons residing therein. Regulations are intended to control density of population and to provide adequate open space around buildings and structures to accomplish these purposes.

A. Permitted Uses.

1. Single-family detached dwellings, modular, [residential-design modular homes](#) and residential-design manufactured homes and group homes as defined in Section 17.02.09.
2. Religious Institution (see Section 17.02.09 for definition)
3. Golf courses, including accessory clubhouses, but not driving ranges and miniature golf courses operated for commercial purposes.
4. Existing Airports

B. Special Uses.

1. Public buildings erected or land used by any agency of a city, township, county or state government.
2. Airports, heliports, ultralite landing areas and aircraft landing fields, publicly and privately owned.
3. Oil and gas wells
4. Other special uses not specifically listed as permitted, special or conditional use, but which are keeping with the intent of Section 17.04.03 and compatible with the uses permitted in Section 17.04.03.A.

C. Conditional Uses.

1. Accessory apartments. (See Section 17.02.09 for definition of ACCESSORY APARTMENT.)
2. Adult and child care centers and preschools.
3. Bed and breakfast homes.
4. Dog Kennel for boarding, breeding and training and for hobbies. (See Section 17.02.09 for definitions and standards.)
5. Earth-sheltered dwellings, provided that the design is compatible with adjacent properties including such items as drainage, parking and accessory structures
6. Utility substations, pumping stations and water towers, publicly and privately owned. (See Section 17.03.27 for Lot Size and Bulk Regulations.)
7. New Airports

D. Lot Size Requirements.

1. Minimum lot area:
 - a. Residential building lot area, based on the sewer system, is as follows:
 - 1) 12,000 square feet with clustered alternative sewer system and a public water supply.
 - 2) 20,000 square feet with an alternative sewer system or septic tank system and a public water supply.
 - 3) 40,000 square feet with alternative sewer system or septic tank system and without a public water supply.
 - 4) 217,800 square feet with a lagoon system and with or without a public water system.

17.04.04 R-1A Single-Family Residential District. This district is established for the purpose of low density single-family dwelling units with both public sewerage and water supply where available and to allow certain community facilities. It is intended that no uses be permitted in this district that will tend to devalue property for residential purposes or interfere with the health, safety, order or general welfare of persons residing therein. Regulations are intended to control density of population and to provide adequate open space around buildings and structures to accomplish these purposes.

A. Permitted Uses.

1. Single-family detached dwellings and residential-design manufactured homes, residential-design modular homes and group homes as defined in Section 17.02.09.
2. Religious Institution
3. Golf courses, including accessory club houses, but not driving ranges and miniature golf courses operated for commercial purposes.
4. Public and private schools: Educational buildings for primary, intermediate and secondary schools including administrative centers, transportation centers, recreation areas, spectator sports facilities and the like.
5. All such uses must be located on land which is platted according to the City Subdivision Regulations and have all utilities and paved streets installed abutting the full length of a platted lot before a building permit is issued.

B. Special Uses.

1. Public buildings erected or land used by any agency of a city, township, county or state government.
2. Cemeteries, private or public.
3. Airports. (See Section 17.02.09 for definition of AIRPORT.)

C. Conditional Uses.

1. Accessory apartments. (See Section 17.02.09 for definition of ACCESSORY APARTMENT.)
2. Adult and child care centers and preschools.
3. Bed and breakfast homes.
4. Earth-sheltered dwellings, provided that the design is compatible with adjacent properties including such features as drainage, parking and accessory structures.
5. Swimming, tennis, racquetball and similar recreational club activities and related clubhouses.
6. Utility substations, pumping stations and water towers, publicly and privately owned. (See Section 17.03.27 for Lot Size and Bulk Regulations.)

D. Lot Size Requirements.

1. Minimum lot area:
 - a. Residential buildings: 10,000 square feet.
 - b. All other uses: 10,000 square feet.
2. Minimum lot width:
 - a. Residential buildings: 80 feet.
 - b. All other uses: 80 feet.
3. Minimum lot depth: 100 feet.

17.04.05 R-1B Single-Family Residential District. This district is established for the purpose of medium density single-family dwelling units with both public sewerage and water supply and to allow certain community facilities. It is intended that no uses be permitted in this district that will tend to devalue property for residential purposes or interfere with the health, safety, order or general welfare of persons residing therein. Regulations are intended to control density of population and to provide adequate open space around buildings and structures to accomplish these purposes.

A. Permitted Uses.

1. Single-family detached dwellings and residential-design manufactured homes, residential-design modular homes and group homes as defined in Section 17.02.09.
2. Religious Institution
3. Golf courses, including accessory club houses, but not driving ranges and miniature golf courses operated for commercial purposes.
4. Public and private schools, such as educational buildings for primary, intermediate and secondary schools including administrative centers, transportation centers, recreation areas, spectator sports facilities and the like.
5. All such uses must be located on land which is platted according to the City Subdivision Regulations and have all utilities and paved streets installed abutting the full length of a platted lot before a building permit is issued.
6. Existing Airports

B. Special Uses.

1. Public buildings erected or land used by any agency of a city, township, county or state government.
2. Cemeteries, private or public.

C. Conditional Uses.

1. Accessory apartments (See Section 17.02.09 for definition of ACCESSORY APARTMENT.)
2. Adult and child care centers and preschools.
3. Bed and breakfast homes.
4. Earth-sheltered dwellings, provided that the design is compatible with adjacent properties including such features as drainage, parking and accessory structures.
5. Swimming, tennis, racquetball and similar recreational club activities and related clubhouses.
6. Utility substations, pumping stations and water towers, publicly and privately owned. (See Section 17.03.27 for Lot Size and Bulk Regulations.)
7. Future Airports

D. Lot Size Requirements.

1. Minimum lot area:
 - a. Residential buildings: 6,500 square feet.
 - b. All other uses: 9,000 square feet.
2. Minimum lot width:
 - a. Residential buildings: 60 feet.
 - b. All other uses: 70 feet.
3. Minimum lot depth: 100 feet.

NEW BUSINESS
RECOMMENDED ACTION

**C. ORDINANCE #1445-26 ZONING REGULATION CHANGE FOR
MODULAR HOMES:**

RECOMMENDED ACTION

Staff recommends approval of Ordinance# 1445-26 for 1st reading.

CONSENT AGENDA

A. APPROPRIATION ORDINANCE – MAY 8, 2026

B. APRIL 28, 2026 PLANNING AND ZONING MINUTES

RECOMMENDED ACTION:

Staff recommends motion to approve the Consent Agenda as presented.

CONSENT AGENDA

A. APPROPRIATION ORDINANCE:

Below is the proposed Appropriation Ordinance for May 22, 2026, as prepared by City Staff.

April 28, 2026 Appropriation

Peoples Bank \$ 51,638.13

VENDOR SET: 02 City of Valley Center

BANK: APBK PEOPLES CHECKING

DATE RANGE: 0/00/0000 THRU 99/99/9999

June 2, 2026 City Council Meeting50

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0014	WICHITA WINWATER WORKS CO.							
I-202605204978	WICHITA WINWATER WORKS CO.	R	5/22/2026	120.00		064538	O	120.00
0055	SOUTHERN KS-NORTHERN OKLAHOMA							
I-202605194965	SOUTHERN KS-NORTHERN OKLAHOMA	R	5/22/2026	100.00		064539	O	100.00
0059	CITY OF WICHITA							
I-202605204985	CITY OF WICHITA	R	5/22/2026	3,332.00		064540	O	3,332.00
0066	KANSAS DEPT OF AGRICULTURE							
I-202605204984	KANSAS DEPT OF AGRICULTURE	R	5/22/2026	400.00		064541	O	400.00
0150	AT&T MOBILITY							
I-202605214994	AT&T MOBILITY	R	5/22/2026	918.28		064542	O	
I-202605214996	AT&T MOBILITY	R	5/22/2026	271.34		064542	O	1,189.62
0306	SEDGWICK COUNTY							
I-202605204976	SEDGWICK COUNTY	R	5/22/2026	2,076.48		064543	O	2,076.48
0328	UCI - UTILITY CONSULTANTS							
I-202605194971	UCI - UTILITY CONSULTANTS	R	5/22/2026	135.00		064544	O	135.00
0378	PEARSON CONSTRUCTION LLC							
I-202605214998	PEARSON CONSTRUCTION LLC	R	5/22/2026	1,050.00		064545	O	1,050.00
0418	E S R I, INC.							
I-202605194964	E S R I, INC.	R	5/22/2026	3,225.00		064546	O	3,225.00
0453	DAVE BOWMAN, PH.D.							
I-202605204988	DAVE BOWMAN, PH.D.	R	5/22/2026	225.00		064547	O	225.00
0623	CORE & MAIN							
I-202605204977	CORE & MAIN	R	5/22/2026	1,087.64		064548	O	1,087.64
0656	DRAGONFLY LAWN & TREE CARE LLC							
I-202605204989	DRAGONFLY LAWN & TREE CARE LLC	R	5/22/2026	5,527.00		064549	O	5,527.00
0758	MAIN STREET VALLEY CENTER							
I-202605204986	MAIN STREET VALLEY CENTER	R	5/22/2026	9,000.00		064550	O	9,000.00
0807	GADES SALES CO, INC.							
I-202605204982	GADES SALES CO, INC.	R	5/22/2026	484.14		064551	O	484.14

VENDOR SET: 02 City of Valley Center

BANK: APBK PEOPLES CHECKING

DATE RANGE: 0/00/0000 THRU 99/99/9999

June 2, 2026 City Council Meeting51

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0812	CENTRAL KEY & SAFE COMPANY, IN							
I-202605204979	CENTRAL KEY & SAFE COMPANY, IN	R	5/22/2026	190.40		064552	O	190.40
0828	FIRE PROTECTION SERVICES INC							
I-202605194972	FIRE PROTECTION SERVICES INC	R	5/22/2026	830.00		064553	O	830.00
0944	CONKLIN CARS NEWTON FORD LINCO							
I-202605194960	CONKLIN CARS NEWTON FORD LINCO	R	5/22/2026	227.19		064554	O	227.19
0961	PINNACLE FIRE & AUTOMATION							
I-202605204990	PINNACLE FIRE & AUTOMATION	R	5/22/2026	979.50		064555	O	979.50
1072	NU LINE COMPANY INC.							
I-202605194974	NU LINE COMPANY INC.	R	5/22/2026	570.00		064556	O	570.00
1075	RED EQUIPMENT LLC.							
I-202605214997	RED EQUIPMENT LLC.	R	5/22/2026	4,455.64		064557	O	4,455.64
1078	FLEXIBLE BENEFIT SERVICE CORPO							
I-202605215000	FLEXIBLE BENEFIT SERVICE CORPO	R	5/22/2026	179.75		064558	O	179.75
1081	HERITAGE FIRE SPRINKLER							
I-202605194959	HERITAGE FIRE SPRINKLER	R	5/22/2026	1,166.69		064559	O	1,166.69
1105	CK POWER							
I-202605204983	CK POWER	R	5/22/2026	818.50		064560	O	818.50
1110	KANSAS PAVING							
I-202605194969	KANSAS PAVING	R	5/22/2026	412.08		064561	O	412.08
1112	CRAFCO, INC							
I-202605204981	CRAFCO, INC	R	5/22/2026	117.00		064562	O	117.00
1162	CUT RATES LAWN CARE LLC							
I-202605204991	CUT RATES LAWN CARE LLC	R	5/22/2026	2,925.00		064563	O	2,925.00
1221	LESLIE'S POOLMART, INC.							
I-202605194967	LESLIE'S POOLMART, INC.	R	5/22/2026	405.31		064564	O	405.31
1240	UTILITY MAINTENANCE CONTRACTOR							
I-202605194975	UTILITY MAINTENANCE CONTRACTOR	R	5/22/2026	5,310.00		064565	O	5,310.00
1360	ABCD TECH							
I-202605204987	ABCD TECH	R	5/22/2026	67.50		064566	O	67.50

VENDOR SET: 02 City of Valley Center
 BANK: APBK PEOPLES CHECKING
 DATE RANGE: 0/00/0000 THRU 99/99/9999

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
1370	AT&T MOBILITY-CC							
I-202605214999	AT&T MOBILITY-CC	R	5/22/2026	196.50		064567	O	196.50
1417	ACCESS SYSTEMS LEASING							
I-202605194973	ACCESS SYSTEMS LEASING	R	5/22/2026	791.39		064568	O	791.39
1462	REVIZE LLC							
I-202605194968	REVIZE LLC	R	5/22/2026	2,300.00		064569	O	2,300.00
1519	OPIE'S LAWN SPRINKLER SERVICE							
I-202605194970	OPIE'S LAWN SPRINKLER SERVICE	R	5/22/2026	445.11		064570	O	445.11
1531	KANSAS TRUCK EQUIPMENT COMPANY							
I-202605194962	KANSAS TRUCK EQUIPMENT COMPANY	R	5/22/2026	75.00		064571	O	75.00

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	34	50,414.44	0.00	50,414.44
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
EFT:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	0	VOID DEBITS 0.00		
		VOID CREDITS 0.00	0.00	

TOTAL ERRORS: 0

VENDOR SET: 02 BANK: APBK TOTALS:	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
	34	50,414.44	0.00	50,414.44

VENDOR SET: 03 City of Valley Center
 BANK: APBK PEOPLES CHECKING
 DATE RANGE: 0/00/0000 THRU 99/99/9999

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0102	SCOTT HAMLIN							
I-202605194966	SCOTT HAMLIN	R	5/22/2026	420.00		064572	O	420.00
0162	LINLEE PRATER							
I-202605194961	LINLEE PRATER	R	5/22/2026	147.28		064573	O	147.28

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	2	567.28	0.00	567.28
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
EFT:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	0			
	VOID DEBITS	0.00		
	VOID CREDITS	0.00	0.00	

TOTAL ERRORS: 0

VENDOR SET: 03 BANK: APBK TOTALS:	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
	2	567.28	0.00	567.28

VENDOR SET: 04 City of Valley Center
 BANK: APBK PEOPLES CHECKING
 DATE RANGE: 0/00/0000 THRU 99/99/9999

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0010	GENE SHARP							
I-202605194963	GENE SHARP	R	5/22/2026	656.41		064574	O	656.41

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	1	656.41	0.00	656.41
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
EFT:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	0	VOID DEBITS 0.00		
		VOID CREDITS 0.00	0.00	

TOTAL ERRORS: 0

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
VENDOR SET: 04 BANK: APBK TOTALS:	1	656.41	0.00	656.41
BANK: APBK TOTALS:	37	51,638.13	0.00	51,638.13
REPORT TOTALS:	37	51,638.13	0.00	51,638.13

SELECTION CRITERIA

VENDOR SET: * - All
VENDOR: ALL
BANK CODES: All
FUNDS: All

CHECK SELECTION

CHECK RANGE: 064538 THRU 064574
DATE RANGE: 0/00/0000 THRU 99/99/9999
CHECK AMOUNT RANGE: 0.00 THRU 999,999,999.99
INCLUDE ALL VOIDS: YES

PRINT OPTIONS

SEQUENCE: CHECK NUMBER

PRINT TRANSACTIONS: YES
PRINT G/L: NO
UNPOSTED ONLY: NO
EXCLUDE UNPOSTED: NO
MANUAL ONLY: NO
STUB COMMENTS: NO
REPORT FOOTER: NO
CHECK STATUS: YES
PRINT STATUS: Outstanding

CONSENT AGENDA

B. May 26, 2026 PLANNING AND ZONING MINUTES:

- Planning and Zoning Minutes

**PLANNING AND ZONING BOARD/BOARD OF ZONING APPEALS MEETING
MINUTES
CITY OF VALLEY CENTER, KANSAS**

Tuesday, May 26, 2026 7:00 P.M.

CALL TO ORDER: Dalton Wilson called the meeting to order at 7:00 P.M. with the following board members present: Amy Bradley, Scot Phillips. Paul Spranger, Rick Shellenbarger

Members Absent: Gary Janzen, Steve Conway

City Staff Present: Kyle Fiedler, Sabrina Young

Audience: Jet Truman, Paul Eden, Kent Miracle, Cherstyn Reuber

AGENDA: A motion was made by Wilson and seconded by Bradley to set the agenda. Motion passed unanimously.

APPROVAL OF DRAFT MINUTES: Wilson made a motion to approve April 28, 2026 meeting minutes. The motion was seconded by Phillips. Motion passed unanimously.

COMMUNICATIONS: None

PUBLIC HEARING BEFORE THE PLANNING AND ZONING BOARD/BOARD OF ZONING APPEALS:

1. Review of V-2026-09, application of Michael & Suzanne Cote, pursuant to City Code 17.10.08, who is petitioning to have an accessory structure on a separate lot from their principal structure, to have a 1,500 sq. ft accessory structure and for side-yard setbacks of 6 ft. on property addressed as 6 W. Son Ct. Valley Center, KS 67147.

Fiedler reviewed his staff report stating that there are three parts to this variance request. The board can choose to take them all as one motion or individually. The applicant owns three lots. The interior lots were once meant to be a park but were divided up and given to the adjacent property owners. These lots are on a different plat than the one for the lot where the home is located. This creates a barrier for the owner to consolidate all three into one lot, as re-platting can be expensive. Because they cannot be consolidated without re-platting, a variance is required to allow them to build the accessory structure on those lots. The small lots are required to be consolidated into one lot before a building permit will be issued. The second part is they would like to build a 1,500 sq ft accessory structure. Current zoning only allows for 720sqft. The third request is to have side yard setbacks of 6 ft on the North and South lot lines. Notification was published and sent to the neighboring property owners. Three neighbors reached out. Concerns included not wanting to look at the building, property values, and placing a building in what has traditionally been green space. The main concern all had was that the building would be used for automotive repair business. The owner shared that it will not be used for automotive business,

just for hobbies. During staff review, one other concern was raised by the Fire Department. Due to the depth of the lot, it could be difficult to reach in case of emergency, but it is not abnormal.

Wilson opened the hearing for comments from the public: 7:08 PM

No public comment.

Bradley asked why the building is going to be set next to the north border and not closer to the southern. Fiedler explained that it is for better access so the property owner does not have to make as long of a drive.

Wilson asked about the easement shown on the map and if that would affect access to the building. Fiedler stated that it is a utility easement and not a drainage easement, so they are allowed to place a drive over it. They have also been made aware that if a utility need access that it is not on the utility company to replace it. So, he will be putting in the drive at his own risk.

Spranger asked if we are opening up the situation for more requests like this? Fiedler showed on the map that there is a similar shop just a block away.

Spranger also asked about usage. Fiedler says he can do anything allowed in R-1b in the accessory structure. If the city finds that it is being used in an unapproved way, the city can shut it down.

Wilson closed the hearing for comments from the public: 7:20 PM

Based on the City Staff recommendations, public comments, and discussion by the Board of Zoning Appeals, Wilson made a motion to approve V-2026-09. Motion was seconded by Phillips. The vote was 4 in favor and 1 against. Motion passed.

2. Review of V-2026-10, application of David & Evelyn Callison, pursuant to City Code 17.10.08, who is petitioning for a variance to have a front yard setback of 0 ft and a side yard setback of 6 ft for a carport on property addressed as 110 N. Dexter Ave., Valley Center, KS 67147.

Fiedler reviewed his staff report mentioning that this is similar to a variance approved last month. There is no attached garage as it has been converted so they would like to add a 10x20 carport. This was published in the paper and neighbors were notified. No communication was received.

Wilson opened the hearing for comments from the public: 7:22 PM

No public comment

Wilson closed the hearing for comments from the public: 7:23 PM

Based on the City Staff recommendations, public comments, and discussion by the Board of Zoning Appeals, Wilson made a motion to approve V-2026-10. Motion was seconded by Shellenbarger. The vote was unanimous. Motion passed.

3. Review of VAC-2026-01, application of Paul Eden, pursuant to City Code 16.10.04, who is petitioning to vacate a portion of South Park Ave. directly east of property addressed as 215 S. Park Ave. Valley Center, KS 67147.

Fiedler reviewed his staff report and stated there is already a fence across the middle of the easement. Paul Eden owns the property to the west of the road easement and is the one requesting the vacation. He would like to have it vacated to his north property line. Because this is a vacation of public right-of-way, all utilities as well as the neighbors must be notified. The neighbor to the north and owner of the storage units to the east called to find out how it would affect them but did not have any opposition to it. No utilities had a conflict. The only one that was in question was Kansas Gas Service as they have a dead end right at the north property line and the gas meter is right at the north end of the building. There are no utilities within the boundary that need a right-of-way dedicated to them.

Fiedler reviewed the process. The planning commission has to determine the following:

- That due and legal notice has been given
- No private rights will be injured or endangered
- The public will suffer no loss or inconvenience
- And in justice up to the petitioners the vacation should be granted

If the board chooses to grant the petition, it is a recommendation that will go to City Council.

The board will need to announce when governing body will consider the recommendation of the vacation.

Fiedler recommends it go to City Council on June 2.

This must be entered in length in the minutes.

The petition shall not be recommended by the planning commission nor granted by the governing body if a written objection is filed with the clerk at or before the hearing by any owner who would be proper party to the petition but has not joined therein. Fiedler spoke to the adjacent property owners and they have no objections.

Staff recommends approval.

Wilson opened the hearing for comments from the public: 7:28 PM

No public comment

Wilson asked, what was the original intent of the right-of-way. Fiedler answered that it was originally intended to be a street. When the school was adjacent, this area was used as the bus barn facility. It has been fenced for years because it was where the buses were housed. It's leading to nothing at this point. The applicant owns the property to the south as well, so this is leading to his property. Applicant also wants to fix a drainage issue.

Wilson closed the hearing for comments from the public: 7:30 PM

Based on the City Staff recommendations, public comments, and discussion by the Board of Zoning Appeals, Bradley made a motion to approve VAC-2026-01 and place it for

recommendation on the City Council agenda for June 2. Motion was seconded by Shellenbarger. The vote was unanimous. Motion passed.

4. Review of SP-2026-02, application of Calvary Baptist Church, pursuant to City Code 17.12.00, who has submitted a site plan for review for a new building on property addressed as 320 N. Sheridan Ave. Valley Center, KS 67147.

Fiedler reviewed his staff report, Calvary Baptist Church has been working on creating an out-reach center to support church activities. A new site plan is required because the footprint of this building exceeds the allowed percentage for staff review. No additional parking or paved surface is being added. Screening includes 3 redbud trees by the street, 2 spirea bushes on the north side of the building by the air conditioning unit which is also screened and a wood privacy fence on the west property line. No additional trash receptacle is required. All the lighting has to be full cut off lighting at the property line. They are looking at gooseneck lights. Staff is recommending approval.

Wilson opened the hearing for comments from the public: 7:35 PM

Jet Truman spoke to a letter he received regarding concerns about the building. Let them know that it will not be used as a shelter. The main concern is what it is going to look like as he was told it would look residential.

Applicant representative Paul Eden spoke to the look of the building. The AC unit will be screened and have bushes. The building will be two colors with wainscoting around the bottom, light and dark gray.

Spranger wants to know if the applicant would like to suggest any additional screening. Applicant states they would comply with additional screening if requested.

Willson made a recommendation to add 2 additional bushes, for a total of 4, to the screening on the north side of the building.

Wilson closed the hearing for comments from the public: 7:45 PM

Based on the City Staff recommendations, public comments, and discussion by the Board of Zoning Appeals, Wilson made a motion to approve SP-2026-02 with 4 bushes for screening instead of the proposed 2. Motion was seconded by Bradley. The vote was unanimous. Motion passed.

5. Review of Zoning Regulation changes regarding modular homes.

Fiedler reviewed his staff report and presented recommended changes to the code. One piece needs to be updated no matter what as the code references the International Conference of Building Officials which is no longer an organization. The code will be updated to the HUD model and installation standards. That is on page 20 of the code in the Residential Design Manufactured Home definition. Staff are recommending to add a Residential Design Modular

Home definition. The definition is very similar to Modular Home but with the addition that it has to meet the 8 criteria listed below the definition. Fiedler reviewed the criteria that is recommended for addition. The last item states that Modular Home and Residential Design Modular Home are not the same thing. The last piece is to add these as allowed in A-1, RR-1, R-1A, R-1B zoning districts, the would also be allowed in R-2, R-3 and R-4, as these districts allow all uses in R-1B. Staff recommends approval. If the board does recommend approval, this would then go to City Council to be passed by ordinance.

Wilson opened the hearing for comments from the public: 7:53 PM

No public comment.

Wilson closed the hearing for comments from the public: 7:54 PM

Based on the City Staff recommendations, public comments, and discussion by the Board of Zoning Appeals, Wilson made a motion to approve the zoning regulation changes as presented. Motion was seconded by Phillips. The vote was unanimous. Motion passed.

OLD/UNFINISHED BUSINESS:

1. None

NEW BUSINESS:

1. None

STAFF REPORTS:

1. Fiedler gave an update on the research regarding produce stand regulations. Most of the surrounding cities do not have anything in their codes regarding them. More research will need to be conducted before any proposed wording can be brought before the board.

ITEMS BY PLANNING AND ZONING BOARD/BZA MEMBERS:

Gary Janzen - absent

Paul Spranger - none

Rick Shellenbarger - none

Scot Phillips - none

Steve Conway - absent

Dalton Wilson – Recognized the Mayor in the audience.

Amy Bradley – none

ADJOURNMENT OF THE PLANNING AND ZONING BOARD/BOARD OF ZONING APPEALS MEETING: At 8:58 P.M., a motion was made by Shellenbarger to adjourn and seconded by Wilson. The vote was unanimous, and the meeting was adjourned.

Respectfully submitted,

/s/ Kyle Fiedler, Secretary

Gary Janzen, Chairperson

STAFF REPORTS

A. Community Development Director Fiedler

B. Parks & Public Buildings Director Owings

C. Public Safety Director Newman

D. Public Works Director Eggleston

E. City Engineer- Scheer

F. City Attorney Arbuckle

G. Public Librarian Sharp

H. Finance Director Miller

I. City Clerk/HR Director Park

J. City Administrator Kastens

GOVERNING BODY REPORTS

A. Mayor Truman

B. Councilmember Colbert

C. Councilmember Scriven

D. Councilmember Reid

E. Councilmember Anderson

F. Councilmember Gregory

G. Councilmember Daniels

H. Councilmember Evans

I. Councilmember Stamm

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